

REMARKS

In the Office Action, claims 1-18 were rejected, all of which remain pending. In view of the following remarks, Applicants respectfully request that the Examiner allow all pending claims.

REQUEST FOR CONTINUED EXAMINATION

Applicants have submitted this Reply and Amendment along with an appropriate Request for Continued Examination. As such, the Applicants respectfully request that the Examiner withdraw the finality of the outstanding Office action, enter this Reply and Amendment, and reconsider the application for patent in light of the amendments and remarks made herein.

REJECTIONS UNDER 35 U.S.C. § 103

Heidari in view of Hector

Claims 1, 2, 5-8, 10-15, 17 and 18 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Heidari (U.S. Patent Publication No. 2003/0159608), hereafter (Heidari), in view of Hector (U.S. Patent No. 5,804,017), hereafter (Hector). Applicants respectfully traverse these rejections.

Independent claims 1, 8 and 14 have been amended to incorporate a piezo system coupled to the body to vary dimensions of the nanolithography template. Support for this amendment may be found in at least paragraph [0175] and FIG. 51. Thus, no new matter has been added.

When determining whether a claim is obvious, a searching comparison of the claimed invention, including all of its limitations, must be made since obviousness requires a suggestion of all limitations in a claim. See *CFMT, Inc. v. Yieldup Intern. Corp.*, 349 F.3d 1333, 1342 (Fed. Cir. 2003). The failure of an asserted combination to teach or suggest each and every feature of a claim remains fatal to an obviousness rejection, as the MPEP requires the consideration of every claim feature in an obviousness determination. See MPEP §2143.03.

Independent claims 1, 8 and 14 recite, *inter alia*, a piezo system coupled to the body to vary dimensions of the nanolithography template. Applicants submit that

neither Heidari nor Hector discloses at least the aforementioned feature of independent claims 1, 8 and 14.

Heidari expressly teaches that piezoelectric components are problematic. See Heidari, paragraph [0008]. Thus, Heidari cannot reasonably be interpreted to disclose the aforementioned feature of claims 1, 8 and 14. Applicants submit that Hector does not add anything that would remedy the aforementioned deficiency in Heidari. In view thereof, Applicants respectfully request that the rejection of independent claims 1, 8 and 14 be withdraw and all pending claims allowed.

Heidari in view of Hector and in further view of Semiconductor Memories

Claims 3, 4, 9 and 16 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Heidari in view of Hector, and in further view of Semiconductor Memories. Applicants submit that Semiconductor Memories does not add anything that would remedy the aforementioned deficiencies in Heidari and Hector.

Claims 3 and 4 depend from claim 1. As claim 1 is not obvious over the prior art, claims 3 and 4 which further limit claim 1 are also not obvious.

Claim 9 depends from claim 8. As claim 8 is not obvious over the prior art, claim 9 which further limits claim 8 is also not obvious.

Claim 16 depends from claim 14. As claim 14 is not obvious over the prior art, claim 16 which further limits claim 14 is also not obvious.

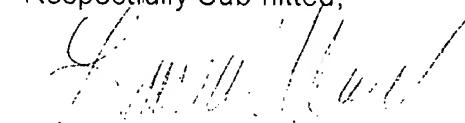
In view of the above, Applicants respectfully request that the Examiner withdraw the rejections and allow all pending claims.

CONCLUSION

As a result of the foregoing, it is asserted by Applicants that the claims in the Application are now in condition for allowance, and allowance of such claims is respectfully requested. Applicants believe that no further fees are due. However, should any fees be required, the Commissioner is authorized to charge such fees to Deposit Account No. 502650.

If the Examiner has any questions or comments concerning this paper or the present Application in general, the Examiner is invited to call the undersigned.

Respectfully Submitted,



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